

## MARIA ROZNIAKOWSKI

<p style="text-align: right;">53</p> <p>1 Q. Okay. Are you familiar with the</p> <p>2 term "Bring-to-date search"?</p> <p>3 A. Bring-to-date search. Not really.</p> <p>4 Q. Maybe I'm not using the right term.</p> <p>5 I'm looking for the -- the search that's done since</p> <p>6 the prior refinance or since the prior mortgage,</p> <p>7 just to bring to it date.</p> <p>8 Is there a specific term that's used</p> <p>9 in the industry for that?</p> <p>10 A. If we did a search -- if we</p> <p>11 performed -- if we actually insured a person who</p> <p>12 was then coming back to refinance, we would have a</p> <p>13 search revised -- updated and revised. If we were</p> <p>14 the insurer.</p> <p>15 So, if you purchased your home, and</p> <p>16 we were the ones that insured it, you came back to</p> <p>17 us to refinance it --</p> <p>18 Q. Um-hum.</p> <p>19 A. -- then the search that we would</p> <p>20 then order would be an update and revision.</p> <p>21 Q. Okay. Does Chelsea --</p> <p>22 A. Because we already have the abstract</p> <p>23 for that prior title.</p> <p>24 Q. Right.</p>	<p style="text-align: right;">55</p> <p>1 current underwriters, do any of them have title</p> <p>2 plants?</p> <p>3 A. Well, they offer abstract services,</p> <p>4 so I would assume that they do.</p> <p>5 Q. What do they tell you they can do</p> <p>6 for you?</p> <p>7 A. The abstract. And I believe we</p> <p>8 might have even used Fidelity National a couple of</p> <p>9 times.</p> <p>10 Q. How does it work? You --</p> <p>11 A. It works like any other. You just</p> <p>12 order a title -- you just order -- order the</p> <p>13 search.</p> <p>14 Q. And it comes back?</p> <p>15 A. Right.</p> <p>16 Q. Is there a monthly subscription fee</p> <p>17 or do you pay per search?</p> <p>18 A. No. You pay per search, like any</p> <p>19 searcher.</p> <p>20 Q. What information can you get through</p> <p>21 the title plant searches?</p> <p>22 A. I don't -- well, I would imagine all</p> <p>23 the information that you need.</p> <p>24 Q. Do you know if you can obtain a copy</p>
<p style="text-align: right;">54</p> <p>1 Does Chelsea, itself, do the</p> <p>2 abstract or title search, or do you hire an outside</p> <p>3 company?</p> <p>4 A. We hire it out.</p> <p>5 Q. Are you familiar with the term</p> <p>6 "Title plants"?</p> <p>7 A. Yes.</p> <p>8 Q. And what is a title plant?</p> <p>9 A. Would be the plant that held</p> <p>10 information about the recording of deeds,</p> <p>11 mortgages, liens, judgments.</p> <p>12 Q. Are these generally through the</p> <p>13 title insurers?</p> <p>14 A. Some title insurers have plants.</p> <p>15 Q. Do you currently work --</p> <p>16 A. I don't know that all of them do.</p> <p>17 Q. Okay.</p> <p>18 Do you know if Chicago Title has</p> <p>19 one?</p> <p>20 A. I don't.</p> <p>21 Q. Did you ever work through Chicago</p> <p>22 Title's title plant?</p> <p>23 A. No. I don't -- I didn't, no.</p> <p>24 Q. Do you -- with any of your other</p>	<p style="text-align: right;">56</p> <p>1 of the prior title insurance policy through the</p> <p>2 title plant search?</p> <p>3 A. You know, I don't know. Okay.</p> <p>4 Q. But you can certainly gain all the</p> <p>5 information about the prior mortgages --</p> <p>6 A. I believe so.</p> <p>7 Q. -- correct?</p> <p>8 You can obtain information about</p> <p>9 when the property was purchased by the current</p> <p>10 owners?</p> <p>11 A. Yes.</p> <p>12 Q. About the prior owners of the -- of</p> <p>13 the property?</p> <p>14 A. I believe so.</p> <p>15 Q. After -- you mentioned that, after</p> <p>16 the title search or title abstract is done, that</p> <p>17 there is a commitment?</p> <p>18 A. Yes.</p> <p>19 THE VIDEOGRAPHER: I'm getting some</p> <p>20 Blackberry interference.</p> <p>21 (Discussion is held off the record.)</p> <p>22 MR. GORDON: I would ask Mr. May to</p> <p>23 please refrain from his Blackberry use during the</p> <p>24 deposition.</p>

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<p style="text-align: right;">57</p> <p>1 MR. MAY: I'll note, for the record, 2 Mr. Gordon's sense of humor on that, since mine has 3 been off since the beginning of the deposition. 4 MR. GORDON: Point well taken. 5 BY MR. GORDON: 6 Q. And what is a title commitment? 7 A. Our title commitment is a commitment 8 to -- to insure the transaction. 9 Q. Can you find the title commitment 10 for me in Deposition Exhibit Number 3 -- I'm sorry, 11 Number 19. 12 I'll help you along. You might want 13 to look at Page 43. 14 A. Oh, there it is. 43. Okay. 15 Q. This is the document that identifies 16 which title insurance company is going to be 17 issuing the insurance for this particular 18 transaction, correct? 19 A. Correct. 20 Q. At what point is the determination 21 made within Chelsea as to which company will be 22 issuing the insurance? 23 A. I'm sorry. Could you repeat that? 24 Q. Sure.</p>	<p style="text-align: right;">59</p> <p>1 Q. Okay. 2 So -- so, at this point in Chelsea, 3 it would automatically have gone to Chicago Title? 4 A. Correct. 5 Q. And the borrower at this point still 6 doesn't have any -- any -- any contact with Chelsea 7 or with Chicago Title, do they? 8 A. I can't absence that -- 9 MR. MAY: Object to the form. 10 THE WITNESS: -- definitively. I'm 11 not sure if the Cohens ever called our office or 12 spoke to anyone. 13 BY MR. GORDON: 14 Q. I'm not asking specifically about 15 the Cohens. I'm asking -- 16 A. Oh. 17 Q. -- generally. The borrowers don't 18 have contact -- they are not part of writing the 19 title commitment, are they? 20 A. They are not part of -- 21 MR. MAY: Object to the form. 22 THE WITNESS: They are not part of 23 writing the title commitment, but we do have a 24 number of borrowers that -- that call us, even when</p>
<p style="text-align: right;">58</p> <p>1 At what point in the process is the 2 decision made about the company that will actually 3 be the underwriter on the insurance? 4 A. Well, it would be whoever the 5 underwriter is, whoever we are underwriting with. 6 I mean, if we were underwriting with Chicago, 7 obviously, the policy -- the commitment would be 8 with Chicago. 9 Q. Okay. And I guess I should clarify 10 the question. 11 At what stage in the process is -- 12 is it at the point that you get the referral, you 13 will automatically know that it's going to be 14 Chicago Title, or would it be at the abstract 15 stage, or do you wait until you are actually 16 writing the commitment before you determine that it 17 will be Chicago Title? 18 A. I -- it would be Chicago Title in 19 this instance, because we only underwrote with 20 Chicago at that time, I believe. 21 Q. Okay. 22 A. So, I mean, you know, the 23 commitments -- when they get to me, they are 24 already done.</p>	<p style="text-align: right;">60</p> <p>1 they are represented by a real estate agent or, you 2 know, a mortgage broker. 3 BY MR. GORDON: 4 Q. Is the borrower involved in the 5 abstract process? 6 A. No. 7 Q. They would not play any role in 8 that? 9 A. No. 10 Q. They don't write the title 11 commitment? 12 A. No. 13 Q. You do that? 14 A. Right. 15 Q. Do you consult with them when you 16 are writing the title commitment? 17 A. No. 18 Q. Is there a need to consult with them 19 when you are writing the title commitment? 20 A. No. 21 Q. And the -- 22 A. Well, other than -- well, I don't 23 know that we would consult with the borrower, but 24 we would verify the information so that the</p>

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<p style="text-align: right;">61</p> <p>1 commitment was correct --</p> <p>2 Q. Okay.</p> <p>3 A. -- or try to get it as correct as</p> <p>4 possible as to what we were insuring, before it</p> <p>5 went out.</p> <p>6 Q. And you would agree that the title</p> <p>7 commitment is binding on Chicago Title in -- when</p> <p>8 you were dealing with Chicago?</p> <p>9 A. Binding on Chicago Title -- yes --</p> <p>10 well, you mean, could we change the commitments to</p> <p>11 another underwriter at that point, prior to the</p> <p>12 payment of insurance?</p> <p>13 Q. No. At the time that you issue the</p> <p>14 commitment, assuming that the loan closes --</p> <p>15 A. Right. At that point --</p> <p>16 Q. -- it's binding on Chicago --</p> <p>17 A. -- it's then binding, yes.</p> <p>18 Q. You need to let me finish the</p> <p>19 question.</p> <p>20 A. I'm sorry.</p> <p>21 Q. That's okay.</p> <p>22 And it's also binding upon Chelsea,</p> <p>23 is it not?</p> <p>24 A. True.</p>	<p style="text-align: right;">63</p> <p>1 the -- of the property?</p> <p>2 A. Um-hum. Yes.</p> <p>3 Q. Including the dates that all of</p> <p>4 those events took place?</p> <p>5 A. Correct.</p> <p>6 Q. And, in fact, if we turn to Page 46,</p> <p>7 which is Schedule B, we can see that the -- the</p> <p>8 Cohens' most recent mortgage was from Capstone</p> <p>9 Mortgage Corporation --</p> <p>10 A. True.</p> <p>11 Q. -- correct?</p> <p>12 A. True.</p> <p>13 Q. We also know the amount of that</p> <p>14 mortgage, do we not?</p> <p>15 A. Yes.</p> <p>16 Q. And the title commitment is -- is</p> <p>17 always in the same format, isn't it?</p> <p>18 A. Generally, yes.</p> <p>19 Q. It's a standard form --</p> <p>20 A. Yes.</p> <p>21 Q. -- that's used throughout the</p> <p>22 industry, correct?</p> <p>23 A. (Witness nods.)</p> <p>24 Q. Is there ever contact with the --</p>
<p style="text-align: right;">62</p> <p>1 Q. Now, I'd like to just go through</p> <p>2 some of the information that's in the commitment.</p> <p>3 If you could turn a couple pages down to Page 45 --</p> <p>4 A. Um-hum.</p> <p>5 Q. You're already there?</p> <p>6 A. Yes.</p> <p>7 Q. Okay.</p> <p>8 Is it fair to say that the title</p> <p>9 commitment will include all of the necessary</p> <p>10 information to issue -- to issue title insurance?</p> <p>11 A. Yes.</p> <p>12 Q. It has the name of the borrowers?</p> <p>13 A. Um-hum.</p> <p>14 Q. Always, correct?</p> <p>15 A. Um-hum.</p> <p>16 Q. Will always have the address of the</p> <p>17 property, correct?</p> <p>18 A. Correct.</p> <p>19 Q. It will always have information</p> <p>20 about the most recent outstanding first mortgage on</p> <p>21 the property?</p> <p>22 A. Correct.</p> <p>23 Q. It will always have information</p> <p>24 about the date of sale -- the date of purchase of</p>	<p style="text-align: right;">64</p> <p>1 the borrower to ask them what type of lender's</p> <p>2 policy they want to have purchased for them?</p> <p>3 A. No.</p> <p>4 Q. Is there ever contact with the</p> <p>5 borrower to ask them what type of owner's policy</p> <p>6 they want to have purchased for them?</p> <p>7 A. Well, I guess what I -- I need to --</p> <p>8 you to clarify that. Would we call them to confirm</p> <p>9 that the information that we received to do the</p> <p>10 commitment in the first place is correct, before we</p> <p>11 send it out?</p> <p>12 Q. Well, what would be the answer to</p> <p>13 that?</p> <p>14 A. Well, that wouldn't be something</p> <p>15 that I would do as a -- as a closer. That would be</p> <p>16 done in -- when the conveyancers are preparing the</p> <p>17 commitment.</p> <p>18 Q. Okay.</p> <p>19 A. They may call a borrower to confirm</p> <p>20 that this is what they need, or they may call the</p> <p>21 lender to confirm that that's what they need.</p> <p>22 Q. Let's say, in a -- in a purchase</p> <p>23 money mortgage transaction, do you ever contact the</p> <p>24 borrower to find out if they want to purchase</p>

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<p style="text-align: right;">65</p> <p>1 owner's title insurance?</p> <p>2 A. I do not contact the borrower, no.</p> <p>3 Q. Okay.</p> <p>4 Are you familiar with the enhanced</p> <p>5 policy?</p> <p>6 A. Somewhat?</p> <p>7 Q. Do you know what it is?</p> <p>8 A. They enhance coverages.</p> <p>9 Q. Do you know what it does?</p> <p>10 A. Not really.</p> <p>11 Q. Okay.</p> <p>12 Do you ever issue an enhanced</p> <p>13 owner's policy?</p> <p>14 A. I've never issued an enhanced</p> <p>15 owner's policy, no.</p> <p>16 Q. Have you ever issued an enhanced --</p> <p>17 an enhanced lender's policy?</p> <p>18 A. No.</p> <p>19 Q. Would you please turn to Page 58 of</p> <p>20 Exhibit 19.</p> <p>21 Now, what document is this?</p> <p>22 A. This is the settlement statement.</p> <p>23 Q. Is that your signature at the</p> <p>24 bottom?</p>	<p style="text-align: right;">67</p> <p>1 A. Of the commitment?</p> <p>2 Q. Of the commitment.</p> <p>3 A. No.</p> <p>4 Q. At what point does Chicago Title</p> <p>5 find out that it's actually issuing insurance?</p> <p>6 A. I would believe, when they receive</p> <p>7 the settlement statement with their premium check.</p> <p>8 Q. Okay. So sometime after the</p> <p>9 closing, is that correct?</p> <p>10 A. I believe that -- yes, after the</p> <p>11 closing, yes.</p> <p>12 Q. And how does the information get</p> <p>13 into the title commitment? I mean, I see, for</p> <p>14 example, looking back at Page 46, that there is a</p> <p>15 lot of information put on this standard form about</p> <p>16 the mortgages. If we turn back to 45, it's</p> <p>17 information about the homeowners.</p> <p>18 A. Right.</p> <p>19 Q. How does that information get from</p> <p>20 the abstract that's conducted to the form itself?</p> <p>21 A. It's typed by our processors.</p> <p>22 Q. Who does that? Do you have actual</p> <p>23 word processors in the office?</p> <p>24 A. Yes.</p>
<p style="text-align: right;">66</p> <p>1 A. Yes.</p> <p>2 Q. And does that indicate that you, in</p> <p>3 fact, were the closer of this loan?</p> <p>4 A. Yes.</p> <p>5 Q. This also is a standard form that's</p> <p>6 used?</p> <p>7 A. Yes.</p> <p>8 Q. Industry-wide?</p> <p>9 A. Yes.</p> <p>10 Q. I'd like to actually go back to the</p> <p>11 commitment for a second. I have one more question.</p> <p>12 What do you do with the commitment</p> <p>13 after it's issued?</p> <p>14 A. After the commitment is issued?</p> <p>15 Q. After the commitment is issued. Who</p> <p>16 is it sent to?</p> <p>17 A. The commitment is sent to all the</p> <p>18 parties that need it in order to prepare for the</p> <p>19 closing.</p> <p>20 Q. Okay. And who would that be?</p> <p>21 A. Buyers, sellers, lenders, real</p> <p>22 estate agents, whoever -- attorneys, if borrowers</p> <p>23 or sellers are being represented.</p> <p>24 Q. Would a copy go to Chicago Title?</p>	<p style="text-align: right;">68</p> <p>1 Q. Do they -- they take the information</p> <p>2 from --</p> <p>3 A. From the abstract and prepare the</p> <p>4 commitment.</p> <p>5 Q. Okay.</p> <p>6 Is there a computer program used for</p> <p>7 that purpose?</p> <p>8 A. Yes.</p> <p>9 Q. And what is that program?</p> <p>10 A. Title Express.</p> <p>11 Q. Is that one of those off-the-shelf</p> <p>12 standard programs that's used throughout the title</p> <p>13 industry?</p> <p>14 A. Well --</p> <p>15 MR. MAY: Object to form.</p> <p>16 THE WITNESS: -- I don't know if</p> <p>17 it's off the shelf. It's not something you can buy</p> <p>18 in a store.</p> <p>19 BY MR. GORDON:</p> <p>20 Q. But it's a pre-packaged program?</p> <p>21 A. It's a pre-pack -- yes.</p> <p>22 Q. Was Title Express used at Global?</p> <p>23 A. No. We used a different system.</p> <p>24 Q. What system did they use there?</p>

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<p style="text-align: right;">69</p> <p>1 A. We used Soft-Pro.</p> <p>2 Q. Oh. That's another one of the big</p> <p>3 computer software programs for the title industry?</p> <p>4 A. Correct.</p> <p>5 Q. And the -- are there specific</p> <p>6 screens in Title Express that capture information</p> <p>7 or ask for specific data to be entered?</p> <p>8 A. Yes.</p> <p>9 Q. And then that information is</p> <p>10 automatically transmitted to the title commitment?</p> <p>11 A. True.</p> <p>12 Q. Is that information then stored in</p> <p>13 Title Express?</p> <p>14 A. Yes.</p> <p>15 Q. So, for example, if you wanted to go</p> <p>16 back and look for the Cohens' file, you could go</p> <p>17 back today and the information's still in there?</p> <p>18 A. Yes.</p> <p>19 Q. In the various data fields --</p> <p>20 A. Yes.</p> <p>21 Q. -- you put it into?</p> <p>22 A. We can still merge it, yes.</p> <p>23 Q. Okay.</p> <p>24 Can you do any reports off of Title</p>	<p style="text-align: right;">71</p> <p>1 A. I spoke to someone else in my office</p> <p>2 who had tried to run some Crystal reports and we</p> <p>3 couldn't do it.</p> <p>4 Q. What are Crystal reports?</p> <p>5 A. It's just another software package</p> <p>6 that ties in with Title Express to give you a</p> <p>7 broader report range, but we just can't seem to get</p> <p>8 it to work correctly.</p> <p>9 Q. I think, by the way, we actually</p> <p>10 missed a step in the process, and I want to make</p> <p>11 sure that that's clear.</p> <p>12 Before the title commitment, there</p> <p>13 is a title examination.</p> <p>14 A. Yes.</p> <p>15 Q. What is a title examination?</p> <p>16 A. A title examination is part of what</p> <p>17 our abstracters do -- or our abstract company does.</p> <p>18 They gather the information and then they examine</p> <p>19 the abstract and they give us their -- their</p> <p>20 completed abstract for us to prepare our commitment</p> <p>21 from.</p> <p>22 Q. Okay. And, again, the borrower is</p> <p>23 not involved in that process?</p> <p>24 A. No.</p>
<p style="text-align: right;">70</p> <p>1 Express?</p> <p>2 A. Yes.</p> <p>3 Q. So, if you wanted to see all</p> <p>4 transactions that closed within a certain period of</p> <p>5 time, you just put those search terms in and it can</p> <p>6 print out a list?</p> <p>7 A. Yes.</p> <p>8 Q. Do you know if you could put other</p> <p>9 types of paradigms in?</p> <p>10 MR. MAY: Object to form.</p> <p>11 THE WITNESS: Well, I haven't run</p> <p>12 all of their reports. Their reporting is not --</p> <p>13 that part of Title Express, I don't believe, is --</p> <p>14 is that great. They are preset, I guess you would</p> <p>15 say, to only give you the information that Title</p> <p>16 Express has there.</p> <p>17 BY MR. GORDON:</p> <p>18 Q. Okay.</p> <p>19 A. So, for instance, like this case, if</p> <p>20 I wanted to know every single file that closed or</p> <p>21 underwrote -- that we underwrote with Chicago, I</p> <p>22 was unable to produce that.</p> <p>23 Q. Did you call Title Express to ask</p> <p>24 them if that could be done?</p>	<p style="text-align: right;">72</p> <p>1 Q. What happens after the title</p> <p>2 commitment's issued and it's sent out to the</p> <p>3 various parties that need it?</p> <p>4 A. Well, we wait for a closing date, or</p> <p>5 we speak to specific parties about the items that</p> <p>6 we found on the title report that they are going to</p> <p>7 need to clear in order to -- to close.</p> <p>8 Basically waiting.</p> <p>9 Q. You are waiting for the closing?</p> <p>10 A. Yes.</p> <p>11 Q. In most instances, isn't that the --</p> <p>12 the first time that Chelsea has contact with the</p> <p>13 borrower?</p> <p>14 A. Yes.</p> <p>15 MR. MAY: Object to form.</p> <p>16 BY MR. GORDON:</p> <p>17 Q. In the time frame that you dealt</p> <p>18 with Chicago Title, were there any forms that were</p> <p>19 used to advise consumers that they might be</p> <p>20 eligible for a re-issue rate?</p> <p>21 A. I --</p> <p>22 MR. MAY: Could you repeat -- I'm</p> <p>23 sorry. Could you repeat the question?</p> <p>24 MR. GORDON: Sure.</p>



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<p style="text-align: right;">73</p> <p>1 BY MR. GORDON:</p> <p>2 Q. During the time frame that you</p> <p>3 worked with Chicago Title at Chelsea, were there</p> <p>4 any forms that were used to advise consumers that</p> <p>5 they might be eligible for a re-issue rate?</p> <p>6 A. I don't believe so.</p> <p>7 Q. Were there any forms that advised</p> <p>8 consumers that they might be eligible for a</p> <p>9 refinance rate?</p> <p>10 A. I don't believe so.</p> <p>11 Q. After the closing is set up, what --</p> <p>12 what then happens in connection with the</p> <p>13 transaction?</p> <p>14 A. After the closing is set up?</p> <p>15 Q. Um-hum.</p> <p>16 A. After it's been scheduled?</p> <p>17 Q. Yes.</p> <p>18 A. Well, again, we would just go back</p> <p>19 to the report and make sure that we were ready to</p> <p>20 close, that there weren't any items that the</p> <p>21 borrowers needed to bring us that they didn't have,</p> <p>22 so that they could actually close on the day they</p> <p>23 come in to close.</p> <p>24 Q. Okay. And then the loan closes?</p>	<p style="text-align: right;">75</p> <p>1 years ago, it was taking them nine months, you</p> <p>2 know --</p> <p>3 Q. Um-hum.</p> <p>4 A. -- and....</p> <p>5 So it -- you know, it would be sent</p> <p>6 out when we received that document back.</p> <p>7 Q. Okay.</p> <p>8 Does there come a time when you</p> <p>9 transmit to Chicago Title the -- their portion of</p> <p>10 the premium?</p> <p>11 A. Yes.</p> <p>12 Q. When does that occur?</p> <p>13 A. Well, the process the check at the</p> <p>14 end of closing and I submit that to the person in</p> <p>15 our office who then submits to it Chicago.</p> <p>16 Q. Okay.</p> <p>17 So that's done before the policy is</p> <p>18 actually issued?</p> <p>19 A. Yes.</p> <p>20 Q. And I think your testimony was that</p> <p>21 you send a copy of the HUD-1 together with the</p> <p>22 check.</p> <p>23 A. Yes.</p> <p>24 Q. Do you send any other information to</p>
<p style="text-align: right;">74</p> <p>1 A. And then the loan closes.</p> <p>2 Q. And, as I understand it, if it's a</p> <p>3 purchase money mortgage, then the money's disbursed</p> <p>4 immediately, and, if it's a refinance, you have to</p> <p>5 wait three days?</p> <p>6 A. Correct.</p> <p>7 Q. What happens after the closing?</p> <p>8 After the money is disbursed?</p> <p>9 A. The file -- well, the documents go</p> <p>10 down to recording. Basically wait for the</p> <p>11 recording document to come back before the final</p> <p>12 title policy is prepared and sent out.</p> <p>13 Q. And at what point is the title</p> <p>14 policy issued?</p> <p>15 A. The title policy is issued when we</p> <p>16 receive the recorded document back from the</p> <p>17 recording agency.</p> <p>18 Q. How long a time lag is that?</p> <p>19 A. Well, let's see. It differs from</p> <p>20 county to county and it differed, basically, from</p> <p>21 year to year. I mean, there was a time period</p> <p>22 where -- you know, Philadelphia is now taking two</p> <p>23 weeks to get something back, or three weeks to get</p> <p>24 something back, wherein, you know, a number of</p>	<p style="text-align: right;">76</p> <p>1 Chicago Title?</p> <p>2 A. I do not send any other information.</p> <p>3 Q. Is there someone else in your office</p> <p>4 who does send additional information?</p> <p>5 A. Well, there is someone in the office</p> <p>6 who -- whose job it is to send that information to</p> <p>7 the underwriters. I don't know that there is</p> <p>8 anything else that she sends.</p> <p>9 Q. Okay.</p> <p>10 A. Whatever it is that they require.</p> <p>11 Q. There may have been some additional</p> <p>12 information; you are just not aware of it?</p> <p>13 A. Correct. I -- I don't know.</p> <p>14 Q. After the loan's been recorded, and</p> <p>15 the information is transmitted back to you, you do</p> <p>16 issue a policy at that point?</p> <p>17 A. The office would then issue a</p> <p>18 policy.</p> <p>19 Q. And --</p> <p>20 A. I would not.</p> <p>21 Q. -- who actually, in the office,</p> <p>22 issues the policy?</p> <p>23 A. That's Janet, in our office. She</p> <p>24 does the policies.</p>

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<p style="text-align: right;">77</p> <p>1 Q. What's her position?</p> <p>2 A. She's our receptionist, but she also</p> <p>3 does the policies.</p> <p>4 Q. And Chicago Title would -- would</p> <p>5 give you a bunch of policy jackets that you would</p> <p>6 have in stock, and you would just take the next one</p> <p>7 and issue the policy, is that correct?</p> <p>8 A. I believe that that's what she would</p> <p>9 do. I -- I -- it wasn't my job, so I can't --</p> <p>10 Q. Okay.</p> <p>11 A. -- say definitively that that's how</p> <p>12 it was done.</p> <p>13 Q. Okay.</p> <p>14 Could you please take a look at</p> <p>15 Deposition Exhibit Number 19 again, and please turn</p> <p>16 to Page 52.</p> <p>17 Could you tell me how -- well, is</p> <p>18 this the policy?</p> <p>19 A. Yes.</p> <p>20 Q. And there is no policy jacket on it.</p> <p>21 Is that typical, that you don't keep a copy of the</p> <p>22 policy jacket?</p> <p>23 A. Yes.</p> <p>24 Q. Okay. And I see that there are a</p>	<p style="text-align: right;">79</p> <p>1 So it -- it could either be a matter</p> <p>2 of simple mathematical calculation --</p> <p>3 A. 10 percent off, yes.</p> <p>4 Q. It could either be a matter of</p> <p>5 simple mathematical calculation, correct?</p> <p>6 A. Yes.</p> <p>7 Q. Or it could be a matter of just</p> <p>8 looking it up on a chart?</p> <p>9 A. Correct.</p> <p>10 Q. Okay.</p> <p>11 So, let's -- let's take a look at</p> <p>12 the Cohens' commitment --</p> <p>13 A. Okay.</p> <p>14 Q. -- and maybe you could tell me what</p> <p>15 rate they would have been entitled to receive --</p> <p>16 A. Um-hum.</p> <p>17 Q. -- okay? So, would you look back,</p> <p>18 starting, I believe, at Page 43 of the -- which is</p> <p>19 the commitment.</p> <p>20 Now, do you see at the bottom of</p> <p>21 Page 46 --</p> <p>22 A. Um-hum.</p> <p>23 Q. -- it indicates when the last</p> <p>24 mortgage was?</p>
<p style="text-align: right;">78</p> <p>1 number of endorsements, as well.</p> <p>2 A. Correct.</p> <p>3 Q. Is a copy of the policy sent to</p> <p>4 Chicago Title?</p> <p>5 A. Yes.</p> <p>6 Q. How do you send -- how did you send</p> <p>7 policies -- issued policies to Chicago Title?</p> <p>8 A. I don't know how Janet sent the</p> <p>9 policies to Chicago. I don't know if they are</p> <p>10 mailed or Chicago picked them up.</p> <p>11 Q. Do you know if there was a</p> <p>12 remittance form?</p> <p>13 A. I do not know.</p> <p>14 Q. Is one of your responsibilities as a</p> <p>15 settlement clerk -- is it to figure out what the</p> <p>16 proper rate would be for the title insurance?</p> <p>17 A. Yes.</p> <p>18 Q. And that's -- that's really a matter</p> <p>19 of simple mathematical calculation, is it not?</p> <p>20 A. Well, you have to look at the</p> <p>21 commitment to see if they do that right, and then,</p> <p>22 you know, we have rate manuals that will tell you</p> <p>23 the rate, or you can calculate it yourself.</p> <p>24 Q. Okay.</p>	<p style="text-align: right;">80</p> <p>1 A. Yes.</p> <p>2 Q. And the loan for the Cohens took</p> <p>3 place in February of 2002.</p> <p>4 A. Right.</p> <p>5 Q. So, if we see, at the bottom of Page</p> <p>6 46, that there was a mortgage in 1999 -- a first</p> <p>7 mortgage, would that have been -- would that have</p> <p>8 qualified them for the re-issue rate?</p> <p>9 A. That would have qualified them for</p> <p>10 the substitution rate.</p> <p>11 Q. Why for the substitution rate?</p> <p>12 A. Well, they are within a three-year</p> <p>13 time frame.</p> <p>14 Q. Okay. From 1997 --</p> <p>15 A. '99.</p> <p>16 Q. I'm sorry. 1999 to 2002. I think</p> <p>17 the substitution rate's also called the refinance</p> <p>18 rate?</p> <p>19 A. Yeah -- Yes.</p> <p>20 Q. Okay. I just want to make sure that</p> <p>21 we are not talking past each other with terms.</p> <p>22 A. Okay.</p> <p>23 Q. So, if I refer to "refinance rate,"</p> <p>24 I want to make sure you know what I'm talking</p>

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<p style="text-align: right;">81</p> <p>1 about.</p> <p>2 A. If you refer to the substitution</p> <p>3 rate as the refinance rate, then I'll know what you</p> <p>4 mean.</p> <p>5 Q. Okay.</p> <p>6 So, the Cohens should have qualified</p> <p>7 for the refinance rate?</p> <p>8 A. Yes.</p> <p>9 Q. And that would have been the</p> <p>10 10 percent off, plus another 20 percent off?</p> <p>11 A. Correct.</p> <p>12 Q. For the blended discount of 28</p> <p>13 percent?</p> <p>14 A. Right.</p> <p>15 Q. And that would have been figured off</p> <p>16 of the principal amount owed on the loan that</p> <p>17 was --</p> <p>18 A. That would have --</p> <p>19 Q. -- being insured?</p> <p>20 A. That would have been based on the</p> <p>21 amount that -- right, the loan that was being</p> <p>22 insured.</p> <p>23 Q. And what was the amount of the loan</p> <p>24 that was being insured for the Cohens?</p>	<p style="text-align: right;">83</p> <p>1 refinance rate \$436.88?</p> <p>2 A. I trust your math.</p> <p>3 Q. So the rate that the Cohens should</p> <p>4 have received is \$436.88?</p> <p>5 A. I believe so.</p> <p>6 Q. Would you agree that they --</p> <p>7 A. That's the amount.</p> <p>8 Q. Would you agree that they did not</p> <p>9 receive that rate?</p> <p>10 A. True.</p> <p>11 Q. Are you familiar with the term</p> <p>12 "lender's instructions"?</p> <p>13 A. Yes.</p> <p>14 Q. What are lender's instructions?</p> <p>15 A. Lender's instructions?</p> <p>16 They are instructions that we, I</p> <p>17 believe, receive from the lenders in order to</p> <p>18 conduct their loan closing.</p> <p>19 Q. Do you know if a copy of the</p> <p>20 lender's instructions go to Chicago Title?</p> <p>21 A. They wouldn't go to Chicago Title</p> <p>22 from me. If they -- I doubt it. Unless the lender</p> <p>23 sent it to them.</p> <p>24 Q. Do you know if a copy of it would go</p>
<p style="text-align: right;">82</p> <p>1 A. 57,6. 57,600 is what's on the</p> <p>2 commitment.</p> <p>3 Q. If you could hold on one second.</p> <p>4 Do you know what the rate, offhand,</p> <p>5 would be for \$57,600?</p> <p>6 A. For the substitution rate?</p> <p>7 Q. Well, let's start with the basic</p> <p>8 rate. What would that be?</p> <p>9 A. At the -- I believe it was the 606</p> <p>10 that's on the HUD sheet.</p> <p>11 Q. Okay. 606.75?</p> <p>12 A. 75, yes.</p> <p>13 Q. Okay. And then, if we want to</p> <p>14 figure out what the refinance or substitution rate</p> <p>15 would have been, what would it have been?</p> <p>16 A. 10 percent off that, and then</p> <p>17 another 20 percent off that amount.</p> <p>18 Q. Okay.</p> <p>19 So, another 10 percent off of the</p> <p>20 606.75 is another discount of \$60.67, and that</p> <p>21 would be \$546.08, and then you take another</p> <p>22 20 percent off that?</p> <p>23 A. Um-hum.</p> <p>24 Q. And that's \$169.87, making the final</p>	<p style="text-align: right;">84</p> <p>1 to the Cohens?</p> <p>2 A. I don't believe so.</p> <p>3 Q. Do you know if, in Pennsylvania,</p> <p>4 there is a requirement that borrowers be charged</p> <p>5 for title insurance the best price tier for which</p> <p>6 they qualify?</p> <p>7 A. Yes.</p> <p>8 Q. It would be unlawful not to give</p> <p>9 them that best price, correct?</p> <p>10 A. Yes.</p> <p>11 MR. GORDON: Let's go off the record</p> <p>12 for about two minutes. I may be done.</p> <p>13 THE VIDEOGRAPHER: We are going off</p> <p>14 the record at 27 minutes past 11:00 o'clock.</p> <p>15 (Discussion is held off the record.)</p> <p>16 We are back on the video record at</p> <p>17 28 minutes past 11:00 o'clock.</p> <p>18 BY MR. GORDON:</p> <p>19 Q. Ms. Rozniakowski -- I hope I'm</p> <p>20 pronouncing that correctly.</p> <p>21 A. That's fine.</p> <p>22 Q. Thank you.</p> <p>23 Were you ever contacted by anyone</p> <p>24 from Chicago Title to tell you that Ms. Cohen did</p>



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<p style="text-align: right;">85</p> <p>1 not receive the correct rate?</p> <p>2 A. I was not, no.</p> <p>3 Q. Do you know --</p> <p>4 MR. MAY: I object to form.</p> <p>5 Belatedly object to form.</p> <p>6 BY MR. GORDON:</p> <p>7 Q. Were you ever contacted by anybody</p> <p>8 at Chicago Title concerning any of the rates that</p> <p>9 you ever charged to any customer?</p> <p>10 A. I was not.</p> <p>11 Q. Do you know if anyone at Chelsea was</p> <p>12 ever contacted?</p> <p>13 A. I'm not aware of it.</p> <p>14 MR. GORDON: Okay. No further</p> <p>15 questions.</p> <p>16 EXAMINATION</p> <p>17 BY MR. MAY:</p> <p>18 Q. Ms. Rozniakowski, as -- as I stated</p> <p>19 earlier on the record, my name is Darryl May. I'm</p> <p>20 the attorney for Chicago Title, and I, too, in this</p> <p>21 deposition, am permitted to ask you questions, and</p> <p>22 the ground rules for answering them are the same</p> <p>23 as -- as with Mr. Gordon, so I don't think I need</p> <p>24 to go over those again, but, if you ever don't</p>	<p style="text-align: right;">87</p> <p>1 Q. -- but, in terms of being someone</p> <p>2 who has done training in the title industry, for</p> <p>3 example, have you ever done that?</p> <p>4 A. No.</p> <p>5 Q. And, as someone whose ever been</p> <p>6 called upon to interpret the TIRBOP Manual, have</p> <p>7 you ever done that?</p> <p>8 A. No.</p> <p>9 Q. Okay.</p> <p>10 And, as someone whose ever been an</p> <p>11 executive in a title company --</p> <p>12 A. No.</p> <p>13 Q. -- have you ever done that?</p> <p>14 So -- now, then, let's talk about</p> <p>15 the office manager role for a minute. Could you</p> <p>16 just explain again what you did as office manager?</p> <p>17 A. I just made sure that the office ran</p> <p>18 smoothly every day.</p> <p>19 Q. So, in terms of the -- the title</p> <p>20 industry, itself, your role as office manager was</p> <p>21 not --</p> <p>22 A. That could have been any -- it could</p> <p>23 have been any --</p> <p>24 Q. Could have been a doctor's office.</p>
<p style="text-align: right;">86</p> <p>1 understand one of my questions, please make sure</p> <p>2 you tell me that, and I'll rephrase it to make sure</p> <p>3 that you understand.</p> <p>4 Ms. Rozniakowski, you were asked a</p> <p>5 number of questions by Mr. Gordon relating to what</p> <p>6 is standard in the industry, things of that nature,</p> <p>7 so I just want to review your experience, once</p> <p>8 again, in the title industry, and I just -- your --</p> <p>9 your experience in the title industry is limited to</p> <p>10 the two positions -- to the positions with the two</p> <p>11 companies that you described, correct?</p> <p>12 A. Correct.</p> <p>13 Q. Okay.</p> <p>14 And I don't mean to denigrate that</p> <p>15 experience in any way, that's not where I'm going</p> <p>16 with this, but --</p> <p>17 A. Understood.</p> <p>18 Q. -- but your -- but your experience</p> <p>19 is limited, apart from the officer manager -- I'll</p> <p>20 get to that in a second -- to being a -- a closing</p> <p>21 agent, correct?</p> <p>22 A. Correct.</p> <p>23 Q. And you've done lots of those --</p> <p>24 A. Yes.</p>	<p style="text-align: right;">88</p> <p>1 A. Exactly.</p> <p>2 Q. Okay.</p> <p>3 So, what -- so, what you know about</p> <p>4 the title industry is limited to what you were</p> <p>5 taught on-the-job training in those two positions</p> <p>6 as -- as a closing clerk?</p> <p>7 A. Correct.</p> <p>8 Q. Okay.</p> <p>9 Now, for example, let's talk about</p> <p>10 what you said about when you provided the re-issue</p> <p>11 rate.</p> <p>12 A. Um-hum.</p> <p>13 Q. What -- you stated your opinion on</p> <p>14 that. Where -- where did you come to get that</p> <p>15 opinion?</p> <p>16 A. The opinion of the -- whether --</p> <p>17 when I'm supposed to charge the re-issue rate?</p> <p>18 Q. Right, and the fact that you consult</p> <p>19 the commitment for doing that, to see whether there</p> <p>20 is a prior lien.</p> <p>21 Who -- how did you come to form that</p> <p>22 opinion?</p> <p>23 A. Well, I will -- believe from the</p> <p>24 manual --</p>

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<p style="text-align: right;">89</p> <p>1 Q. Okay.</p> <p>2 A. -- of when we're -- we're to charge</p> <p>3 the re-issue rate.</p> <p>4 Q. Okay.</p> <p>5 Now, you are familiar that the</p> <p>6 manual changed in 2005, correct?</p> <p>7 A. Yes.</p> <p>8 MR. GORDON: Objection. It's a</p> <p>9 mischaracterization. The manual was clarified in</p> <p>10 2005.</p> <p>11 MR. MAY: Where -- I tell you what,</p> <p>12 you do the same thing that I do. You can object to</p> <p>13 form.</p> <p>14 MR. GORDON: I'm only doing it for</p> <p>15 purposes of -- of stating it for the record.</p> <p>16 MR. MAY: Okay. Yes, but you --</p> <p>17 okay, just object to form, and there is an</p> <p>18 objection to the form.</p> <p>19 BY MR. MAY:</p> <p>20 Q. You -- you -- you are familiar with</p> <p>21 the revision, and he -- and Mr. Gordon may think</p> <p>22 it's not a revision or whatever, but -- but that's</p> <p>23 for the court and for the judge, but you -- you are</p> <p>24 familiar with what happened to the rate manual in</p>	<p style="text-align: right;">91</p> <p>1 understanding then?</p> <p>2 A. That a policy needs to be produced.</p> <p>3 Q. Okay.</p> <p>4 And is it fair to say that the</p> <p>5 reason that the Cohens didn't get the re-issue rate</p> <p>6 is because of your understanding of what the TIRBOP</p> <p>7 Manual was prior to 2005?</p> <p>8 A. Possibly, yes.</p> <p>9 Q. Okay.</p> <p>10 And the -- now, by the way, apart</p> <p>11 from the policy, itself, was there other evidence</p> <p>12 that could be satisfactory, like -- like the prior</p> <p>13 HUD-1 statement showing the payment of prior</p> <p>14 insurance?</p> <p>15 A. Yes.</p> <p>16 Q. But that your understanding then was</p> <p>17 that something had to be produced to evidence the</p> <p>18 prior insurance?</p> <p>19 A. Yes. It was my understanding that</p> <p>20 that -- that was the directive from all</p> <p>21 underwriters, that something -- that their</p> <p>22 policy -- or something had to be produced to show</p> <p>23 that there was existing owner's coverage, not by</p> <p>24 just looking at something on the record, and</p>
<p style="text-align: right;">90</p> <p>1 2005, correct?</p> <p>2 A. Yes.</p> <p>3 Q. Okay.</p> <p>4 And now the rate manual states that</p> <p>5 there are certain things that will be inferred to</p> <p>6 be evidence of prior insurance, correct?</p> <p>7 A. Yes.</p> <p>8 Q. Okay.</p> <p>9 And one of those is a prior</p> <p>10 institutional mortgage --</p> <p>11 A. Right.</p> <p>12 Q. -- correct? Okay.</p> <p>13 Do you recall that as being language</p> <p>14 in the TIRBOP Manual before 2005?</p> <p>15 A. No.</p> <p>16 Q. And did you have that understanding</p> <p>17 of what was evidence to be produced -- let me</p> <p>18 rephrase the question.</p> <p>19 Before 2005, did you have the same</p> <p>20 opinion about what is evidence to be produced in</p> <p>21 order to get a re-issue rate then that you did now?</p> <p>22 A. No.</p> <p>23 Q. Okay.</p> <p>24 What was your -- what was your</p>	<p style="text-align: right;">92</p> <p>1 determining that that -- as it is now.</p> <p>2 Q. And -- and was that -- and did you</p> <p>3 actually read the TIRBOP Manual yourself prior to</p> <p>4 2005 and come to your own conclusion about what</p> <p>5 those words meant?</p> <p>6 A. Well, I've read the manual a number</p> <p>7 of times over the years.</p> <p>8 Q. Well, only answer if you -- don't</p> <p>9 guess. Only answer if you recall having a -- this</p> <p>10 is a mental process on your part. That, if you</p> <p>11 recall, prior to 2005, having read the manual and</p> <p>12 having sort of come to a conclusion about what --</p> <p>13 what those words meant.</p> <p>14 A. Only that, in those instances where</p> <p>15 the re-issue rate would -- would apply, a policy</p> <p>16 needed to be produced to show evidence that there</p> <p>17 was existing coverage.</p> <p>18 Q. And -- and where -- you've gotten</p> <p>19 on-the-job training -- let me step back for a</p> <p>20 minute.</p> <p>21 Did you ever take -- is there such a</p> <p>22 thing as a course of study to become a title --</p> <p>23 A. There is a course of study. I did</p> <p>24 not take it.</p>

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<p style="text-align: right;">93</p> <p>1 Q. Okay.</p> <p>2 So, your training has been</p> <p>3 on-the-job training?</p> <p>4 A. Yes.</p> <p>5 Q. And I understand that, in the course</p> <p>6 of many, many, many years of on-the-job training,</p> <p>7 it's hard to isolate any particular instances, and</p> <p>8 I'm -- so I'm only asking if you can do that.</p> <p>9 Do you recall any specific instances</p> <p>10 in which, in the course of all that on-the-job</p> <p>11 training, that was part of what you learned; that</p> <p>12 is to say, when -- prior to 2005, when a re-issue</p> <p>13 or refinance rate should be given?</p> <p>14 A. Right. During my course of -- of</p> <p>15 employment through -- yes.</p> <p>16 Q. Right. You remember that generally.</p> <p>17 A. Right, sure. I can't tell you who</p> <p>18 told me that or where I specifically read it or --</p> <p>19 Q. Well, that's my question.</p> <p>20 A. -- pinpoint something directly for</p> <p>21 you, right.</p> <p>22 Q. And that's my question. That,</p> <p>23 just --</p> <p>24 A. Exactly.</p>	<p style="text-align: right;">95</p> <p>1 that I'm referring to.</p> <p>2 Do you have that page?</p> <p>3 A. Yes.</p> <p>4 Q. And I'm referencing the mortgage</p> <p>5 from Capstone Mortgage. Do you -- does that tell</p> <p>6 you definitively that that was a first mortgage?</p> <p>7 A. I assumed it was a first mortgage.</p> <p>8 I mean, looking at it would -- is that what you</p> <p>9 mean?</p> <p>10 Q. Well --</p> <p>11 A. Why would I believe it was the first</p> <p>12 mortgage?</p> <p>13 Q. No. I'm -- but that's the point.</p> <p>14 I'm not asking for assumptions. I'm saying, does</p> <p>15 that tell you definitively that that was a first</p> <p>16 mortgage?</p> <p>17 A. No.</p> <p>18 Q. At the closing of the Cohens'</p> <p>19 refinancing, you stated -- you testified -- I don't</p> <p>20 want to ask you a question while you are thumbing</p> <p>21 through documents.</p> <p>22 A. Okay.</p> <p>23 Q. I just want you to concentrate on</p> <p>24 the question.</p>
<p style="text-align: right;">94</p> <p>1 Q. -- generally that's something --</p> <p>2 A. Yes.</p> <p>3 Q. -- that you came to know, but you</p> <p>4 can't point to specific --</p> <p>5 A. Exactly.</p> <p>6 Q. You were asked about title software,</p> <p>7 such as Title Express. I think there were a few</p> <p>8 other brands mentioned.</p> <p>9 Do you know whether that software --</p> <p>10 not the software, itself, but the data from the</p> <p>11 software, can be uploaded directly to the title</p> <p>12 insurers that you work with?</p> <p>13 And, again, these are questions that</p> <p>14 you should only answer if you know.</p> <p>15 A. I don't know --</p> <p>16 MR. GORDON: Objection to the form.</p> <p>17 THE WITNESS: -- definitively that</p> <p>18 they can be.</p> <p>19 BY MR. MAY:</p> <p>20 Q. Have you ever done anything like</p> <p>21 that?</p> <p>22 A. No.</p> <p>23 Q. If you could turn to the title</p> <p>24 commitment, I believe it's Page 46 of the exhibit</p>	<p style="text-align: right;">96</p> <p>1 At your closing -- you stated</p> <p>2 earlier that you actually have some vague</p> <p>3 recollection of Mrs. Cohen, herself.</p> <p>4 A. I believe I do.</p> <p>5 Q. You've done many, many closings.</p> <p>6 Was there any particular reason that you would</p> <p>7 remember her from this?</p> <p>8 A. I remembered her mortgage broker.</p> <p>9 Q. And, in fact, I believe you</p> <p>10 testified to that. Now, was there -- who was her</p> <p>11 mortgage broker?</p> <p>12 A. Ameer Saleem.</p> <p>13 Q. Any idea of how to spell that?</p> <p>14 A. A-m-i-r, I believe, S-a-l-e-e-m,</p> <p>15 maybe.</p> <p>16 Q. And was there anything in particular</p> <p>17 about Mr. -- is that a Mr. or Ms.?</p> <p>18 A. Mr.</p> <p>19 Q. About a Mr. Saleem that made you</p> <p>20 recall that?</p> <p>21 A. Just that most of his closings were</p> <p>22 problematic.</p> <p>23 Q. Did -- apart from recalling Mr.</p> <p>24 Saleem being there, did you -- do you recall</p>

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<p style="text-align: right;">97</p> <p>1 anything else about that particular closing?</p> <p>2 And --</p> <p>3 A. No.</p> <p>4 Q. Okay.</p> <p>5 And, again, I'm not asking for what</p> <p>6 might have happened based on practice. I'm just</p> <p>7 saying your under -- your recollection of that</p> <p>8 closing.</p> <p>9 A. I understand.</p> <p>10 No, I don't.</p> <p>11 Q. And, so, it's fair to say that you</p> <p>12 don't recall whether there was any discussion by --</p> <p>13 was Mr. Cohen there, or do you -- do you know? Was</p> <p>14 it Mr. and Ms. Cohen?</p> <p>15 A. Yes.</p> <p>16 Q. Okay.</p> <p>17 And you don't recall whether either</p> <p>18 of them asked you any questions about the process?</p> <p>19 A. No, no.</p> <p>20 Q. Okay.</p> <p>21 And -- and there may have been</p> <p>22 routine communication, but you -- you don't recall</p> <p>23 any communication with the Cohens at this --</p> <p>24 A. Nothing that would be out of the</p>	<p style="text-align: right;">99</p> <p>1 April 11th of '06. Any checks written to Chicago</p> <p>2 from the earliest time in our system to that date.</p> <p>3 Q. When did you run this report?</p> <p>4 A. April 11th.</p> <p>5 Q. Of 2006?</p> <p>6 A. I printed it April 11th.</p> <p>7 Yes.</p> <p>8 Q. Okay.</p> <p>9 A. And it ran to April 11th.</p> <p>10 Q. Okay.</p> <p>11 A. And I put in the earliest date,</p> <p>12 because I wouldn't know what the earliest date</p> <p>13 would be, so -- it would be whatever what was -- it</p> <p>14 was inputted in the -- in the Title Express system,</p> <p>15 because I'm not quite sure what date they actually</p> <p>16 started with the Title Express system.</p> <p>17 Q. Did you ever add up how many</p> <p>18 transactions there were?</p> <p>19 A. No.</p> <p>20 Q. Do you have a rough idea as to how</p> <p>21 many there are?</p> <p>22 A. No.</p> <p>23 MR. GORDON: I have nothing further.</p> <p>24 MR. MAY: Okay. Thank you very</p>
<p style="text-align: right;">98</p> <p>1 ordinary that I would recall it.</p> <p>2 MR. MAY: That's all the questions I</p> <p>3 have.</p> <p>4 FURTHER EXAMINATION</p> <p>5 BY MR. GORDON:</p> <p>6 Q. I just have a couple of follow-ups</p> <p>7 and -- and one additional question that I forgot.</p> <p>8 It should not cause you any angst, however.</p> <p>9 If you can please take a look at the</p> <p>10 beginning of Deposition Exhibit 19, and you'll see</p> <p>11 a check register -- a list of checks. It's called</p> <p>12 "Check Register," and it's about 40 -- 40 pages</p> <p>13 long.</p> <p>14 What is that check register?</p> <p>15 A. The list of checks for title</p> <p>16 premiums that were sent to Chicago.</p> <p>17 Q. Would this be the comprehensive</p> <p>18 list, from 2000 to sometime in 2003, of all the</p> <p>19 title policies that would have been issued by --</p> <p>20 A. Well, I ran --</p> <p>21 Q. -- by Chelsea on --</p> <p>22 A. Sorry.</p> <p>23 Q. -- on behalf of Chicago Title?</p> <p>24 A. I ran this from the earliest time to</p>	<p style="text-align: right;">100</p> <p>1 much.</p> <p>2 THE WITNESS: Okay. You're welcome.</p> <p>3 THE VIDEOGRAPHER: This concludes</p> <p>4 our video deposition. We are going off the record</p> <p>5 at 44 minutes past 11:00 o'clock.</p> <p>6 (11:44 a.m.)</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>

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CERTIFICATE

I, Sean M. Fallon, a Certified Shorthand Reporter and Notary Public, do hereby certify that, prior to the commencement of the examination, the witness and/or witnesses were sworn by me to testify to the truth and nothing but the truth.

I do further certify that the foregoing is a true and accurate computer-aided transcript of the testimony as taken stenographically by and before me at the time, place and on the date hereinbefore set forth.

I do further certify that I am neither of counsel nor attorney for any party in this action and that I am not interested in the event nor outcome of this litigation.

\_\_\_\_\_  
Certified Shorthand Reporter

XI00840

Notary Public

My commission expires 4-29-08

Dated: \_\_\_\_\_